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THE WASHINGTON POST *and* TIMES HERALD
A 2 *Wednesday, August 13, 1958*

Ike Signs Anti-Secrecy Bill

By Richard L. Lyons
Staff Reporter

President Eisenhower signed into law yesterday a bill designed to give the people more information about their Government.

The one-sentence measure states that a 1789 statute which authorizes department heads to regulate the keeping of their records does not authorize withholding information from the public or Congress.

Department heads have relied heavily on the old "housekeeping" statute to keep information secret. The bill was written by the special House Subcommittee on Government Information which dug into the history of the old law and decided it was intended to let department heads keep files, not secrets.

Practical Effects in Doubt

What practical effects the bill will have remain to be seen. In signing the bill, the President issued a statement saying:

"It is clear from the legislative history of the bill that it is not intended to, and indeed could not, alter the existing power of the head of an executive department to keep appropriate information or papers confidential in the public interest. This power in the executive branch is inherent under the Constitution."

Attorney General William P. Rogers has said this power of the President to withhold information is unlimited and thus makes the bill meaningless. Rogers also contends that the President can delegate this power to every official in the executive branch.

Supporters of the bill do not agree that the President's constitutional authority to withhold information is as broad as Rogers says it is. Or that he can delegate it all down the line. The question has never been tested in court. But virtually all agree that the President has authority which Congress cannot change by law to withhold some information.

Some 80 Othe Laws

In addition, some 80 laws remain on the books permitting secrecy in specific fields, such as tax returns and military secrets. And executive agencies other than the 10 cabinet level departments have found another law which gives them much the same blanket secrecy authority which the departments claimed from the 1789 statute.

Rep. John E. Moss (D-Calif.), chairman of the Government Information Subcommittee, and author of the bill signed yesterday, conceded that it was a "modest" first step to pierce the "curtain of secrecy" surrounding much non-classified information.

Moss said it removes o... prop of secrecy and should force department heads to find specific authority or invoke the President's constitutional power. **He hopes next year to go after the law which other agencies are using to hold back information.**

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